

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

BRIAN BELTRAN AND
KARRAH BELTRAN

Plaintiffs

v.

THE UNITED STATES OF AMERICA,

Defendant.

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CIVIL ACTION NO. SA-15-CA-00503-HJB

DEFENDANT'S AMENDED LIST OF EXHIBITS

Exhibit No.	Description	Offered	Admitted
G-1	SF-95 submitted by Brian Beltran		
G-2	SF-95 submitted by Karrah Beltran		
G-3	Photos of U.S. Postal Inspector's government vehicle taken on or shortly after the accident		
G-4	Brian Beltran's medical records – Airrosti Rehab Center		
G-5	Brian Beltran's medical records –Alamo Neurosurgical Institute		
G-6	Brian Beltran's medical records –Breg Biomet		
G-7	Brian Beltran's medical records –Dennis R. Gutzman, M.D.		
G-8	Brian Beltran's medical records –Dr. Perretta		
G-9	Brian Beltran's medical records –Family Clinics of San Antonio		
G-10	Brian Beltran's medical records –Foundation Surgical Hospital of San Antonio		
G-11	Brian Beltran's medical records –Integrity Pain Management		
G-12	Brian Beltran's billing records–Integrity Pain Management		
G-13	Brian Beltran's medical records –Lawrence Lenderman, M.D.		
G-14	Brian Beltran's medical records –Leon Springs Family Practice		
G-15	Brian Beltran's medical records –National Neuromonitoring Consultants		
G-16	Brian Beltran's medical records – North Central Baptist Hospital		
G-17	Brian Beltran's billing records –North Central Baptist Hospital		
G-18	Brian Beltran's radiology records –North Central Baptist		

	Hospital		
G-19	Brian Beltran's medical records –Northeast Baptist Hospital		
G-20	Brian Beltran's billing records –Northeast Baptist Hospital		
G-21	Brian Beltran's records –Premier Medical Imaging-medical, billing and radiology		
G-22	Brian Beltran's medical records –River City Chiropractic		
G-23	Brian Beltran's medical records –San Antonio Diagnostic Imaging		
G-24	Brian Beltran's medical records –Select Neuromonitoring Consultants, Inc.		
G-25	Brian Beltran's medical records –Star Anesthesia		
G-26	Karrah Beltran's medical records – Leon Springs Family Practice		
G-27	Karrah Beltran's medical records –North Central Baptist Hospital		
G-28	Karrah Beltran's radiology records –North Central Baptist		
G-29	Karrah Beltran's medical records –River City Chiropractic		
G-30	Animesh Agarwal, M.D. - CV		
G-31	Animesh Agarwal, M.D. – Report with reference		
G-31a	J Neuroimaging. 1991 Feb; 1(1):2-7 Magnetic resonance imaging of the lumbar spine in asymptomatic adults. Cooperative study—American Society of Neuroimaging		
G-31b	Radiology. 1998 Dec; 209(3):61-6. MR imaging of the lumbar spine: prevalence of intervertebral disk extrusion and sequestration, nerve root compression, end plate abnormalities, and osteoarthritis of the facet joints in asymptomatic volunteers.		
G-31c	Spine J. 2006 Nov-Dec;6(6):624-35. Epub 2006 Oct 11. Are first-time episodes of serious LBP associated with new MRI findings.		
G-31d	S..D. Boden et al., Abnormal Magnetic Resonance Scans of the Lumbar Spine in Asymptomatic Subjects. A Prospective Investigation, J. Bone Joint Surg, 72-A, No. 8 , Sept 1990, 1178-1184;		
G-31e	M.C. Jensen, et al., Magnetic Resonance Imaging To The Lumbar Spine In People Without Back Pain, 331 The New England Journal of Medicine, 69-73 (1994).		
G-31f	M. Matsumoto et al., MRI of cervical intervertebral discs in asymptomatic subjects, J. Bone Joint Surg {Br} 1998; 80-B:19-24;		
G-31g	M. Matsumoto et al., Tandem age-related lumbar and cervical vertebral disc changes in asymptomatic subjects, Eur Spine J (2013) 22:708-713		
F-31h	E. Okada et al. Aging of the Cervical Spine in Healthy Volunteers, Spine, Vol. 34, No. 7, pp. 706-712 (2009)		
G-32	Animesh Agarwal, M.D. – Report of IME		
G-33	Animesh Agarwal, M.D. – Deposition with exhibits		

G-34	Brad Coffey - CV		
G-35	Brad Coffey –Vocational Initial Evaluation 4/21/2016		
G-36	Brad Coffey –Vocational Evaluation – Supplemental 9/7/2016		
G-37	Brad Coffey – Deposition with exhibits		
G-38	William Edmonds CV		
G-39	William Edmonds - Report		
G-40	William Edmonds – Supplemental Report		
G-41	Williams Edmonds –Deposition with exhibits		
G-41a	Depo Ex. 1 - Court and Deposition Appearances Last 4 years		
G-41b	Depo Ex. 2 - Crash Fact –Edmonds Bio		
G-41c	Depo Ex. 3 - Crash Facts Fee Schedule		
G-41d	Depo Ex. 5 – Crash Facts Statement dated 7/8/2016		
G-42	Jason Droll, Ph.D. - CV		
G-43	Jason Droll, Ph.D - Report		
G-44	Jason Droll, Ph.D. –Deposition with Exhibits		
G-45	William Rogers, Ph.D. - CV		
G-46	Williams Rogers, Ph.D. - Report		
	EXHIBITS WHICH MAY BE USED		
G-47	Deposition with Exhibits of Everett Dillman		
G-47a	Depo Ex. 1- Dillman CV		
G-47b	Depo Ex. 2 – Economic Evaluation of Damges of Brian Beltran date January 24, 2016		
G-47c	Depo Ex. 3– Economic Evaluation of Damges of Brian Beltran date January 20, 2016		
G-48	Deposition with Exhibits of Dennis Gutzman.M.D.		
G-48a	Depo Ex. 1 – Affidavit-Billing records		
G-48b	Depo Ex. 2 – Brian Beltran medical record (107 pages)		
G-48c	Depo Ex. 3 – Gutzman TMB website printout (5 pages)		
G-48d	Depo Ex. 4 – Flowers v. Vianna Risa Dvaila-Lexis printout (4 pages)		
G-48e	Depo Ex. 5 – Derusse v. Waste Management of Texas and Alejandro Salazar – Lexis printout (4 pages)		
G-48f	Depo Ex. 6 – Tyrrell v. Martinez – Lexis printout (2 pages)		
G-48g	Depo Ex. 7 – Andrade v. Morris – Lexis printout (2 pages)		
G-48h	Depo Ex. 8 – Clattenburg and Gonzales v. Jocz, Lexis printout (1 page)		
G-48i	Depo Ex. 9 – Coronado v. Old School Services LLC and Patrick – Lexis printout (4 pages)		
G-48j	Depo Ex. 10 – Rivera, et al. v. Furniture Row, et al. – Lexis printout (4 pages)		
G-48k	Depo Ex. 11 – McGaffigan, et a. v. Mora, et al. – Lexis printout (154 pages)		
G-49	Deposition with Exhibits of Michael Leonard, M.D.		
G-49a	Depo Ex. 1 – Illustration – Fractures and Dislocations of the Cervical Spine		
G-49b	Depo Ex. 2- Illustration – Fractures and Dislocations of the		

	Cervical Spine (13.41(2))		
G-49c	Depo Ex. 3 – Illustration – Medical Evaluation of Orthopedic Disability		
G-49d	Depo Ex. 4 – Brian Beltran medical record (5 pages)		
G-49e	Depo Ex. 5 – Brian Beltran medical record (4 pages)		
G-49f	Depo Ex. 6 – Brian Beltran medical record date May 21, 2014 (return to light duty)		
G-49g	Depo Ex. 7 – Brian Beltran medical record (4 pages)		
G-49h	Depo Ex. 8 – Brian Beltran medical record from Foundation Surgical Hospital (3 pages)		
G-49i	Depo Ex. 9 – Brian Beltran medical record (4 pages)		
G-49j	Depo Ex. 10 - Brian Beltran medical record (6 pages)		
G-49k	Depo Ex. 11 - Brian Beltran medical record (5 pages)		
G-49l	Depo Ex. 12 - Brian Beltran medical record (5 pages)		
G-49m	Depo Ex. 13 - Brian Beltran medical record (2 pages) – Premier Medical Imaging Final Report 10-8-2014		
G-49n	Depo Ex. 14 - Brian Beltran medical record (2 pages) – Radiology Report 12/29/2014		
G-50	Deposition with Exhibits of Viola Lopez		
G-50a	Depo Ex. 1 – Evaluation Sheet		
G-50b	Depo Ex. 2 – Vocational testing		
G-50c	Depo Ex. 3 – Report of Partial Assessment		
G-50d	Depo Ex. 4 – Results of Career Assessment		
G-50e	Depo Ex. 5 – Medical & Therapy records		
G-50f	Depo Ex. 6 - Summaries		
G-50g	Depo Ex. 7 – Tax returns		
G-50h	Depo Ex. 8 – Compensation report from Rigzone		
G-50i	Depo Ex. 9 – Job searches		
G-50j	Depo Ex. 10 – O’Net report		
G-50k	Depo Ex. 11 – DOT Occupation matches		
G-50l	Depo Ex. 12 – O’Net Report		
G-51	Deposition with Exhibits of Michael Martinez		
G-51a	Depo Ex. 1 – Police Report		
G-51b	Depo Ex. 2 – Motor Vehicle Accident Report		
G-51c	Depo Ex. 3 – Accident Investigation Worksheet		
G-51d	Depo Ex. 4 - File		
G-52	Deposition with Exhibits of Stephen Offenburger		
G-52a	Depo Ex. 1 – Brian Beltran - Airrosti medical records (30 pages)		
G-52b	Depo Ex. 2 – Brian Beltran – medical record – Final Report 9/4/2013– Premier Medical Imaging (2 pages)		
G-52c	Depo Ex. 3 - Brian Beltran – medical record – Final Report dates 9/4/2014– Premier Medical Imaging (2 pages)		
G-52d	Depo Ex. 4 – 7/2013 Calendar page		
G-52e	Depo Ex. 5 – 8/2013 Calendar page		
G-52f	Depo Ex. 6 - - Airrosti Home Page (6 pages)		
G-52g	Depo Ex. 7 – Airrosti web page re: back pain (5 pages)		

G-53	Deposition of Carrie Officer (no exhibits)		
G-54	Deposition with Exhibits of Marc Melkie		
G-54a	Brian Beltran medical records (Premier Imaging & Airrosti)		
G-55	Deposition with Exhibits of Michael Reyes		
G-55a	Depo Ex. 1 - SAE Vehicle Crash Mechanics		
G-55b	Depo Ex. 2 – Reyes Report		
G-55c	Depo Ex. 3 – Photographs on Board		
G-55d	Depo Ex. 4 – Note: Full Braking		
G-55e	Depo Ex. 5 – 2/5/26 Reyes Notes:		
G-55f	Depo Ex. 6 – IH 35 NB Hillcrest-1040 Feet		
G-55g	Depo Ex. 7 – Case Binder		
G-56	Deposition with Exhibits of Brian Beltran		
G-56a	Depo Ex.1 – Police Report		
G-56b	Depo Ex. 2 – Claim for Damage, Injury or Death Form		
G-56c	Depo Ex. 3 – Claim for Damage, Injury or Death Form		
G-56d	Depo Ex. 4 – Claim for Damage, Injury or Death Form		
G-56e	Depo Ex. 5 – Baptist Health System Statement		
G-56f	Depo Ex. 6 – 12/20/13 Office note – Dr. Gutzman		
G-56g	Depo Ex. 7 – 4/7/14, 6/18/14 and 5/14/15 Letter from Dr. Gutzman		
G-56h	Depo Ex. 9 – 5/27/15 and 7/8/15 Letters by Dr. Gutzman		
G-56i	Depo Ex. 10 – Integrity Pain Management		
G-56j	Depo Ex. 11 – Statement of Account		
G-56k	Depo Ex. 12 – Alamo Neurosurgical Institute		
G-56l	Depo Ex. 13 – Alamo Neurosurgical Institute Account Inquiry		
G-56m	Depo Ex. 14 – San Antonio Diagnostic Imaging Studies		
G-56n	Depo Ex. 15 - Billing		
G-56o	Depo Ex. 16 – Dr. Gutzman’s bill		
G-56p	Depo Ex. 17 – Color Xerox Photos		
G-57	Deposition with Exhibits of Karrah Beltran		
G-57a	Depo Ex. 1 - River City Chiropractic Initial Evaluation		
G-57b	Depo Ex. 2 - River City Chiropractic Bill		
G-57c	Depo Ex. 2 - River City Chiropractic Final Evaluation		
G-58	Deposition with of Kathryn Lara		
G-59	Deposition of Officer Arturo Perez with attachments		
G-59a	Depo Ex. 1 – Texas Peace Officer’s Crash Report		
G-59b	Depo Ex. 2 - Photographs		
G-59c	Depo Ex. 3 – Feet traveled in one second		
G-59d	Depo Ex. 4 – Approximate Stopping Distance		
G-60	Plaintiff, Brian Beltran’s Answers and Objections to Defendant, United States of America’s First Set of Interrogatories		
G-61	Plaintiff, Karrah Beltran’s Answers and Objections to Defendant, United States of America’s First Set of Interrogatories		
G-62	Plaintiff, Brian Beltran’s Responses and Objections to		

	Defendant, United States of America's Request for Production with exhibits		
G-63	Plaintiff, Karrah Beltran's Responses and Objections to Defendant, United States of America's Request for Production with exhibits		
G-64	Defendant's Answers to Plaintiff's Request for Admissions		
G-65	Defendant's Answers to Plaintiff's Interrogatories		
G-66	Defendant's Responses to Plaintiff's Request for Production with attachments		
G-66a	Texas Peace Officer's Crash Report (Form CR3-3 1/1/2010)		
G-66b	Ps Form 1700		
G-66c	Standard Form 91		
G-66d	Photos of damages to vehicle driven by Kathryn D. Lara		
G-67	Defendant's Supplemental Responses to Plaintiff's Request for Production with attachments		
G-67a	PS Form 1769/301 Accident Report		
G-68	Defendant's 2 nd Supplemental Responses to Plaintiff's Request for Production with attachments		
G-68a	Metropolitan Life Insurance Disability records received via Subpoena		
G-69	Defendant's 3 rd Supplemental Responses to Plaintiff's Request for Production with attachments		
G-69a	2007 Chevrolet Trail Blazer Owner Manual		
G-69b	S..D. Boden et al., Abnormal Magnetic Resonance Scans of the Lumbar Spine in Asymptomatic Subjects. A Prospective Investigation, J. Bone Joint Surg, 72-A, No. 8 , Sept 1990, 1178-1184;		
G-69c	E. Carragee et al., Are first-time episodes of serious LBP associated with new MRI findings? The Spine Journal 6 (2006) 624-635.		
G-69d	M.C. Jensen, et al., Magnetic Resonance Imaging To The Lumbar Spine In People Without Back Pain, 331 The New England Journal of Medicine, 69-73 (1994).		
G-69e	M. Matsumoto et al., MRI of cervical intervertebral discs in asymptomatic subjects, J. Bone Joint Surg {Br} 1998; 80-B:19-24;		
G-69f	M. Matsumoto et al., Tandem age-related lumbar and cervical vertebral disc changes in asymptomatic subjects, Eur Spine J (2013) 22:708-713		
G-69g	D. Weishaupt et al. MRI Imaging of the Lumbar Spine: Prevalence of Intervertebral Disk Extrusion and Sequestration, Nerve Root Compression, End Plate Abnormalities and Osteoarthritis of the Facet Joints in Asymptomatic Volunteers, Radiology 1998;209:661-666		
G-69h	E. Okada et al. Aging of the Cervical Spine in Healthy Volunteers, Spine, Vol. 34, No. 7, pp. 706-712 (2009)		
G-70	Defendant's 4 th Supplemental Responses to Plaintiff's		

	Request for Production with attachments		
G-70a	Texas Driver's Handbook, Revised July 2012 Texas Department of Public Safety Driver's License Division P.O. Box 4087 Austin, Texas 78773—0300		
G-70b	Istre GR, McCoy M, Stowe M, Barnard JJ, Moore BJ, Anderson RJ, <i>The "Unintended Pedestrian" on Expressway</i> , Traffic Inj. Prev., 2007 Dec; 8(4):398-402.		
G-70c	Istre GR et al., <i>The "Unintended Pedestrian" on Expressways</i> , slides of charts and graphs. Accessed on June 3, 2016. Available at: http://nct.org/draws/committees/bpac/2.DallasCtyPedFatalities_Istre_041607.pdf		
G-70d	Forbes G, et al. , <i>The safety impact of Vehicle-Related Road Debris</i> , AAA Foundation of Traffic Safety, June, 2004, Washington, D.C. Accessed on June 3, 2016. Available at: http://www.aaafoundation.org		
G-70e	<i>Pedestrian Fatalities on Interstate Highway, United States, 1993-2012</i> (September 2014), AAA Foundation For Traffic Safety, September, 2014, Washington, D.C. Accessed on June 3, 2016. Available at: https://www.aaafoundation.org		
G-70f	Tefft BC. <i>Impact Speed and a Pedestrian's Risk of Severe Injury or Death</i> , September 2011, AAA Foundation for Traffic Safety, September 2011, Washington, D.C., Accessed on June 3, 2016. Available at: https://www.aaafoundation.org		
G-70g	Tefft BC. <i>Impact Speed and a Pedestrian's Risk of Severe Injury or Death</i> , September 2011, AAA Foundation for Traffic Safety, September 2011, Washington, D.C., Accessed on June 3, 2016. Available at: https://www.aaafoundation.org		
G-70h	National Highway Traffic Safety Administration. 2010. <i>Distracted Driving and Driver, Roadway and Environmental Factors</i> . Report No. DOT HS 811 380 Washington, D.C. – National Highway Traffic Safety Administration		
G-70i	Anderson G, et al. <i>Dangerous by Design 2014 Texas</i> , May 2014. Accessed June 3, 2016. Available at: www.smartgrowthamerica.org/dangerous-by-design-2014-texas.pdf		
G-71	Defendant's 5 th Supplemental Responses to Plaintiff's Request for Production with attachments		
G-71a	Collision photographs of USPS Vehicle driven by Mrs. Kathryn Lara which were requested during the deposition of Dr. Reyes.		
G-72	Defendant's 6 th Supplemental Responses to Plaintiff's Request for Production with attachments		

G-72a	Records received via Subpoena from Schlumberger		
G-73	Defendant's 7 th Supplemental Responses to Plaintiff's Request for Production with attachments		
G-73a	Supplemental Records received via Subpoena from Schlumberger		
G-74	Defendant's 8 th Supplemental Responses to Plaintiff's Request for Production with attachments		
G-74a	Cigna records received via Subpoena		
G-75	Defendant's Designation with Attachments		
	Any and/or all exhibits listed by Plaintiffs		

Respectfully submitted,

RICHARD L. DURBIN, JR.
United States Attorney

By: /s/ James F. Gilligan
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CERTIFICATE OF SERVICE

I, do hereby certify that on the 21st day of September, 2016, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Russell Endsley
Matthew Hull
Thomas J. Henry Injury Attorneys
521 Starr Street
Corpus Christi, Texas 78401

/s/ *James F. Gilligan*
JAMES F. GILLIGAN
Assistant United States Attorney